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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,703	01/16/2002	Sang-Bom Kang	9898-207	1366
7590 05/26/2004			EXAMINER	
MARGER JOHNSON & McCOLLOM, P.C. 1030 S. W. Morrison Street Portland, OR 97205			ZERVIGON, RUDY	
			ART UNIT	PAPER NUMBER
			1763	

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/052,703

Applicant(s)

KANG ET AL.

Examiner

Rudy Zervigon

Art Unit

1763

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 May 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-37.

Claim(s) withdrawn from consideration: 38-40.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: None of the pending claims are amended. The Examiner maintains all grounds of rejection as set forth in the Final Office action. Applicant states - "Contrary to the recited features of claim 1, a ring 64 is fitted into groove 60 and welded to close the end of alternate holes 58 (column 5, lines 13-16; emphasis added). This forms "a single, continuous serpentine passageway 56" in electrode 12 to provide for the flow of cooling fluid (column 5, lines 20-22; emphasis added)". The Examiner maintains his interpretation in view of the specific claim language that is indistinguishable from Chen et al (USPat. 4,534,816) - "a cooling system (22, 56; Figure 1, 3-6; column 5, lines 3-28) comprising a plurality of coolant inlets (56; Figure 5; column 5, lines 3-28) and a plurality of coolant outlets (62; Figure 5; column 5, lines 3-28) formed in a lower one (12; Figure 6; column 4, lines 56-68) of the plurality of plates (14, 16, 12; Figure 1; column 3, lines 20-48), and further comprising a plurality of inner cooling lines (channel between 56 and 62; Figure 5) configured to connect each of the plurality of coolant inlets (56; Figure 5; column 5, lines 3-28) to one of the plurality of coolant outlets (62; Figure 5; column 5, lines 3-28), as claimed by claim 1". In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant states "...contrary to the features recited in claim 9, Chen does not disclose that the alleged heater stage 40 is located in a lower portion of the alleged process chamber 30 (emphasis added). Consequently, Chen does not anticipate claim 9 ...". The Examiner disagrees. Refer to Figure 1 for said teaching in Chen. The response to the arguments under 103(a) are the same as those under the anticipation rejections under 102(b) as above..

Andy J. Jorgensen
5/21/4